

REMARKS

The present invention is disclosed in three separate embodiments with the features disclosed therein accumulating so that the third embodiment shown in Figures 14-18 discloses not only a foldable coin elevator unit with a safety micro switch 244 but further discloses a handle that enables not only a manual transportation by an operator of the coin dispensing apparatus, but also provides a coin elevator unit having a hopper side guiding unit that can be permanently attached above the storage hopper for guiding the coins from the storage unit as removed by the selector unit and further, a dispensing side guiding unit that can be removably attached to a fixing unit. The fixing unit includes a first member with a releasable locking unit permanently mounted above the selector unit on the hopper side guiding unit and a second member with a complementary locking member for operative connection with the releasable locking unit.

The second member can include a U-shaped lever member that can encompass the handle and can have appropriate apertures for alignment with apertures in the handle for receiving fastener members to lock the dispensing side guiding unit to the handle. The lever member can be pivotally connected to the hopper side guiding unit at a position below the fixing unit that is permanently attached to the hopper side guiding unit. As a result, pivoting of the second member, permits the upper dispensing side guiding unit to be physically removed and offset from the hopper side guiding unit. See the position, for example, in Figure 16.

As also can be appreciated, means are provided for preventing any coins in the upper dispensing side guiding unit from being released.

As can be appreciated, this is a relatively crowded, competitive field and advantages that assist a user should be evaluated accordingly.

"Thus when differences that may appear technologically minor nonetheless have a practical impact, particularly in a crowded field, the decision-maker must consider the obviousness of the new structure in this light."

*Continental Can Co. USA Inc. v. Monsanto Co.*, 20 U.S.P.Q. 2d. 1746, 1752 (Fed. Cir. 1991).

The Final Office Action had principally relied upon *Rasmussen et al.* (U.S. Patent No. 6,656,034) because of its feature of disclosing a coin escalator that folded towards a hopper to reduce an overall height of the coin handling device.

The Office Action specifically stated on Page 2 that the *Rasmussen et al.* reference disclosed a spring biased hook member 22, citing Figure 5, for engaging a pin member 24b in the disc guiding unit. Actually, Figures 4 and 5 simply disclose a latch mechanism 22 with a spring loaded latch pin 22a that can engage a hole or aperture 22b. See Column 2, Lines 42-60.

A pivot bearing 20 permits a rotation of the escalator portion 16 to a horizontal position. As can be seen, the end of an intermediate spacer plate having an aperture 22b cannot automatically lock into an operative position.

The cross section of Figure 5 indicates that the pin is a cylinder and that the head of the pin would have to be physically pulled from the channel because it blocks the passageway, both for releasing the upper elevator portion and presumably for permitting the same elevator portion to again align the appropriate hole and the pin.

The Office Action mistakenly mixes the pivoting lever 24a that carries an engagement pin member 24b with the disclosure of Figure 5.

Actually, Figures 7 and 8 are only directed to a retention mechanism 24 for retaining the coins in the escalator portion when it is folded. See Column 2, Lines 61-63. A spring loaded arm 24a carries a pin 24b at the end of the arm while the torsion spring 24c biases it in a

clockwise direction so that coins can move the arm out of the coin passageway as the coins are going upward in the elevator 16, as shown in Figure 7 but would be barred from returning back through the passageway.

There is a lack of support for the assertions set forth in the Office Action to reject our claims relative to Figure 5.

On Page 3, the Office Action further contended that a handle was provided to enable a guiding device to be carried, and referred to a “square handle” on the left side of the apparatus housing in Figures 2 and 3. Figures 2 and 3, however, simply disclose the escalator 14 in Figure 2 in an elevated position and the escalator in a forward downward position is shown as 16 in Figure 3. There is no “square handle” that is perceived in this disclosure and applicant would request a clarification as to where a manual handle for permitting a user to carry a coin handling device is taught or suggested in the *Rasmussen et al.* reference.

The secondary references do not correct a deficiency in the *Rasmussen et al.* reference. It is believed the current claims more than adequately distinguish over any combination of these references, and if the Examiner believes that a telephone interview will help further the prosecution of this matter, he is respectfully requested to contact the undersigned attorney at the listed phone number.

Very truly yours,

**SNELL & WILMER L.L.P.**



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